

REMARKS/ARGUMENTS

Claims 2-8 are pending. Claim 1 has been canceled. New claims 2-8 have been added.

Claim 1 was rejected under judicially created doctrine of obviousness-type double patenting over claims 1-11 of U.S. Patent No. 6,754,792. Claim 1 has been canceled.

Claim 1 was rejected under U.S.C. § 102(e) as being anticipated by Ofek. Applicants traverse the rejection. Claim 1 has been canceled.

Claim 2 recites, "creating replications of the data related to said first and second paired volumes within a target volume that is provided in said secondary storage system, and suspending said target volume..." Ofek does not disclose this feature of target volume that is provided in the secondary storage system. Claim 2 is allowable for at least this reason.

Other newly added independent claims recite various features relating to the target volume that are not disclosed by Ofek. Claims 3-8 are allowable at least for this reason.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Appl. No. 10/763,603

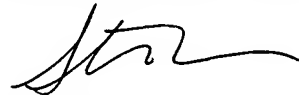
Amdt. dated December 13, 2004

Reply to Office Action of August 13, 2004

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



Steve Y. Cho
Reg. No. 44,612

TOWNSEND and TOWNSEND and CREW LLP

Two Embarcadero Center, Eighth Floor

San Francisco, California 94111-3834

Tel: 650-326-2400

Fax: 415-576-0300

Attachments

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